THE CITY OF MELFORT

BYLAW NO. 2006-17

The General Penalty & Enforcement Bylaw, 2006

The Council of the City of Melfort enacts:

Title

1.   This Bylaw may be cited as The General Penalty & Enforcement Bylaw, 2006.

Purpose

2.   The purpose of this Bylaw is to establish penalties and enforcement procedures for contravention of bylaws in The City of Melfort.

Application

3.   The penalties and enforcement procedures in this Bylaw shall apply with respect to contravention of any bylaw of The City of Melfort, unless a different penalty or procedure is otherwise specified in another bylaw.

General Penalty

4.   Every person who contravenes any provision of a bylaw of The City of Melfort is guilty of an offence and liable on summary conviction:

     (a)   in the case of an individual, to a fine not exceeding $10,000 and, in the case of a continuing offence, to a further fine not exceeding $10,000 for each day during which the offence continues;

     (b)   in the case of a corporation, to a fine not exceeding $25,000 and, in the case of a continuing offence, to a further fine not exceeding $25,000 for each day during which the offence continues.

Penalties in addition to Fines

5.   If a person is found guilty of an offence against any bylaw of the City of Melfort, the court may, in addition to a fine, impose an additional penalty so long as the penalty relates to a fee, cost, rate, toll or charge that is associated with the conduct that gives rise to the offence.

Order for Compliance

6.   (1)   If a person is found guilty of an offence against any bylaw of the City of Melfort, the court may, in addition to any other penalty imposed, order the person to comply with the bylaw or a licence, permit or other authorization issued under the bylaw, or a term or condition of any of them.

(2)   A person to whom an order is made pursuant to subsection (1) who fails to comply with that order within the time specified by the court is guilty of an offence and liable on summary conviction:

    (a)   in the case of an individual, to a fine not exceeding $10,000 and, in the case of a continuing offence, to a further fine not exceeding $2,500 for each day during which the non-compliance continues;

    (b)   in the case of a corporation, to a fine not exceeding $25,000 and, in the case of a continuing offence, to a further fine not exceeding $2,500 for each day during which the non-compliance continues.

Inspections

7.   (1)   The inspection of property by a bylaw inspector to determine if a bylaw is being complied with is hereby authorized for all bylaws of the City of Melfort.

    (2)   Every inspection shall be carried out in accordance with the provisions of *The Cities Act*.

Voluntary Payments

8.   (1)   The due date for voluntary payment of bylaw violations shall be the date as indicated on the Bylaw Violation Notice. Account balances outstanding after the due date will be considered overdue and will be subject to a penalty of 1.5% per month, compounded monthly until the account, including all penalties, is paid in full.

Obstruction, Tampering Prohibited

9.   (1)   No person shall obstruct a bylaw inspector who is authorized to conduct an inspection pursuant to section 7 or a person who is assisting a bylaw inspector.

    (2)   Every person who contravenes subsection (1) is guilty of an offence and liable on summary conviction to the penalties prescribed in this Bylaw.

10.   The General Penalty Bylaw, No. 03-08 is repealed.

Coming Into Force

11.   This Bylaw shall come into force on the day of its final passing.

Read a first time this 11th day of September, 2006.

Read a second time this 11th day of September, 2006.

Read a third time and passed this 11th day of September, 2006.

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Mayor

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City Clerk

SEAL

CERTIFIED a true copy of Bylaw No. 2006-17 adopted by resolution of Council on the 11th day of September, 2006

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City Clerk